

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 14-257 (DSD/SER)

United States of America,

Plaintiff,

v.

ORDER

Dennis Charles Helmer,

Defendant.

Kimberly A. Svendsen, United States Attorney's Office, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, counsel for plaintiff.

Dennis Charles Helmer, #61076-018, FCI-Coleman, P.O. Box 1032, Coleman, FL 33521-1032, defendant pro se.

This matter is before the court upon the pro se motion by defendant Dennis Charles Helmer pursuant to Federal Rule of Civil Procedure 59(e). On February 8, 2016, Helmer filed a motion under 28 U.S.C. § 2255. ECF No. 43. The government opposed the motion. ECF No. 52. The court denied Helmer's motion on April 19, 2016. ECF No. 54.

On April 25, 2016, Helmer filed a reply to the government's opposition. ECF No. 56. He filed the instant motion on May 2, 2016, arguing that the court should have waited to receive his reply brief before issuing its order. ECF No. 57.

A petitioner is not entitled to submit a reply brief for proceedings under § 2255. Nevertheless, the court has reviewed Helmer's reply brief. His arguments are unpersuasive, and do not affect the court's ruling.

Accordingly, based on the above, **IT IS HEREBY ORDERED** that Helmer's motion pursuant to Rule 59(e) [ECF No. 57] is denied.

Dated: May 6, 2016

s/David S. Doty
David S. Doty, Judge
United States District Court